

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

**ROOR INTERNATIONAL BV and
SREAM, INC.,**

Plaintiffs,

v.

Case No: 6:19-cv-171-Orl-31LRH

DNR USA CORP. and RAKESH PATEL,

Defendants.

ORDER

This cause comes before the Court on the Motion for Default Final Judgment (Doc. 38) filed March 12, 2020.

On March 17, 2020, the United States Magistrate Judge issued a report (Doc. 40) recommending that the motion be granted in part. No objections have been filed. Therefore, it is

ORDERED as follows:

1. The Report and Recommendation is **CONFIRMED** and **ADOPTED** as part of this Order.
2. The Motion for Default Final Judgment is **GRANTED IN PART**.
3. It is hereby **ORDERED** that the Clerk enter shall enter judgment in favor of Plaintiffs on all claims, and Defendants shall be liable to Plaintiffs in the amount of \$15,400.00 (comprising statutory damages of \$15,000.00 and costs of \$400.00), for which sum let execution issue.
4. It is **FURTHER ORDERED** that Defendants, their agents, employees, officers, directors, owners, representatives, successor companies, related companies, and all persons acting in concert or participation are permanently restrained and enjoined from infringing upon the RooR marks with the registration numbers 3,675,839,

2,307,176, and 2,235,638 directly or contributorily, in any manner, including but not limited to:

- a. Import, export, making, manufacture, reproduction, assembly, use, acquisition, purchase, offer, sale, transfer, brokerage, consignment, distribution, storage, shipment, licensing, development, display, delivery, marketing advertising or promotion of the counterfeit RooR product identified in the complaint and any other unauthorized RooR product, counterfeit, copy or colorful imitation thereof; or
- b. Assisting, aiding, or attempting to assist or aid any other person or entity in performing any of the prohibited activities referred to in paragraph (a) above.

- 5. It is **FURTHER ORDERED** that pursuant to 15 U.S.C. § 1118, Defendants, at their cost, deliver to Plaintiffs for destruction all products, accessories, labels, signs, prints, packages, wrappers, receptacles, advertisements, and other material in their possession, custody, or control bearing any of the RooR marks.
- 6. The Court will retain jurisdiction over any matter pertaining to this order and the judgment.
- 7. After entry of the judgment as directed above, the Clerk is directed to close the case.

DONE and **ORDERED** in Chambers, Orlando, Florida on April 1, 2020.




GREGORY A. PRESNELL
UNITED STATES DISTRICT JUDGE

Copies furnished to:

United States Magistrate Judge
Counsel of Record
Unrepresented Party